

## MINUTES OF THE PLANNING COMMISSION MEETING

### PLANNING COMMISSION/ BOARD OF ZONING APPEALS October 19, 2010

**Commissioners Present:** Cowman, McLean, Gage, Smith, Wrischnik, Peterson

**Commissioners Absent:** Bonner

**Others Present:** Mike Gotfredson, Amy Barenklau, Brian McCauley, Dan Droste, Troy Allen and others

**Item 1: Pledge of Allegiance**

**Item 2: Consider minutes from the August 17, 2010 meeting**

Chair Cowman called the meeting to order. The first order of business was the consideration of the minutes from the August 17, 2010 meeting.

*Commissioners Gage and Wrischnik made a motion to approve the minutes as submitted with all Commissioners voting in favor.*

**Item 3: Public Hearing: Consideration and vote on a Conditional use permit for an automotive and equipment repair business at 308 South Silver, Troy Allen, applicant.**

*Commissioners Gage and McLean made a motion to open the public hearing. All Commissioners voted in favor.*

Planner Gotfredson presented the staff brief and gave an overview of the applicant's request and current zoning of the property. A brief review of the LDO criteria in Section 21.220 for approval of Conditional use Permits was given. Mr. Gotfredson explained that this location will be a better fit for this business than the current location.

Planner Gotfredson's findings are that the application is consistent with Section 21.220 of the LDO, conditions of approval are consistent with Section 21.22 of the LDO and the application will not be detrimental to the health, safety or general welfare of the community.

Planner Gotfredson's recommendation is to approve the Conditional Use Permit with the following conditions:

1. Hours of operation shall be limited to 7:00 a.m. to 7:00 p.m., Monday through Saturday.
2. All overnight parking, except for two overnight drop-off spaces, shall be in the fenced area.
3. All work shall be completed within an enclosed structure. All storage must be behind an opaque fence of sufficient height to screen materials.
4. The total number of vehicles in the fenced area shall be limited to 20. No more than two stored vehicles may be inoperable.
5. Striping of parking spaces.
6. Repair damaged sections of fence and make future repairs as needed.
7. A review of compliance shall be provided by the Zoning Officer to the Planning Commission one year after issuance. If deemed necessary, subsequent annual reviews may be requested by the Planning Commission. All such reviews will not be subject to noticing requirements.
8. The City may revoke this permit for violation of these conditions in accordance with Section 21.225 of the Land Development Ordinance.

There were no comments from those in attendance.

*Commissioner Cowman and Gage made a motion to close the public hearing. All Commissioners voted in favor.*

Commissioner Smith stated that there was a relationship between his family and the applicant and he would therefore be abstaining from the vote.

Commissioner Peterson arrived and took his seat.

*Commissioners Gage and McLean made a motion to recommend approval of the Conditional Use Permit for an automotive and equipment repair business at 308 South Silver with the listed conditions. Commissioner Smith abstained with all others voting in favor.*

#### **Item 4: City Planner Report and Items from Commissioners.**

Planner Gotfredson discussed the notice of termination from Miami County regarding the Community Growth Areas. He explained that the City had sent a letter in response to the notice of termination. Mr. Gotfredson explained that there are no planned changes to the Planning Commission in regards to growth area representation. He explained that he will keep the Commissioners updated as staff works through the transition with Miami County.

Commission Cowman stated that the termination of the interlocal agreements is an interesting situation.

**Item 5:       Adjournment.**

*Commissioners Cowman and Gage made a motion to adjourn the meeting. All Commissioners voted in favor.*

Meeting was adjourned at 5:13 pm.